

August 8, 2022

VIA ECF

The Honorable Brian M. Cogan
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. Rashid Sultan Rashid Al Malik Alshahhi, et al., 1:21-cr-371 (BMC)

Dear Judge Cogan:

I write in response to the government's letter on the proposed trial schedule filed earlier today. Dkt. No. 149. As indicated to the Court at the July 27, 2022 status conference, I observe the religious holidays in September and October. Tr. at 18:15-24. I also asked the Court if it would follow its normal practice of not sitting on Friday. *Id.* at 19:12-20. I asked that question because, in light of the trial, I waited to confirm to Columbia Law School that I could teach my Fall Semester class if it could be moved to Fridays in the event trial did not occur on that day and so I could also observe the weekly holiday that starts before sundown. I usually teach on Mondays. Following the status conference, to do what I could, I have moved things around with respect to where I am observing the holidays and when. I will need both days of Rosh Hashanah, but I can participate on the day before Yom Kippur until perhaps 3:30 or 4:00 PM because I will not go home for that holiday. The first day of Sukkot appears to be the same day as a federal holiday (October 10), and I will only take that day and not the second. The following week, I have moved my observance to the evenings after a trial day has concluded. After I raised the issue, I confirmed to the Dean's Office that I could teach on Fridays.

As to the government's suggestion to move class days or find substitute teachers, there is only one class a week and there are not a lot of make-up days, nor can I get a guest teacher given the topic and why the school asked me to teach, and students have enrolled. I want to do all that I can to facilitate the trial and believe I had done that. As the trial starts and progresses, I can try to find a Friday where I can move the class to the late afternoon (if there is a slot) or find a way to make a class up after the trial ends, but I cannot do that often. Consequently, for the reasons I disclosed a few weeks ago and the efforts I have made to accommodate as best I can, I respectfully oppose this further modification.

Respectfully submitted,

/s/ Abbe David Lowell

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cc: All counsel of record (via ECF)